

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

SERON K. SMITH,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:23cv701-MHT
)	(WO)
CAPTAIN POSEY, et al.,)	
)	
Defendants.)	

DISMISSAL ORDER

Upon consideration of plaintiff's "Motion to Withdraw Petition/Dismissal" (Doc. 5), in which plaintiff requests that this case be dismissed without prejudice and that no filing fee be collected, it is ORDERED that:

- (1) The motion is granted.
- (2) The December 15, 2023 order (Doc. 4) is vacated.
- (3) The clerk of court shall not collect any filing fee in this case, and shall return to plaintiff any filing fees submitted by the Alabama Department of Corrections on behalf of plaintiff for this case.

(4) This lawsuit is dismissed without prejudice,
with no costs taxed.

(5) All pending motions are denied as moot.

This case is closed.

DONE, this the 4th day of January, 2024.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE